

PRESS RELEASE

FOR IMMEDIATE RELEASE
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TWO MEN CONVICTED OF MURDER ON SAN CARLOS RESERVATION

PHOENIX, ARIZONA -- The United States Attorney's Office for the District of Arizona announced that on February 11, 2004, Wendell NASH (DOB 12/6/72) and Terry ACTON (DOB 2/10/64), both from the San Carlos Apache Indian Reservation, near Globe, Arizona, were found guilty of the murder of Cynthia Scroggins-Irving on December 15, 2002, at San Carlos Lake by a federal jury in Phoenix, Arizona. NASH was convicted of First Degree Murder and ACTON was convicted of Second Degree Murder.

The evidence at trial showed on December 15, 2002, a group of people, including NASH, ACTON and the victim were at San Carlos lake drinking. At some point, the group moved to a remote location at the lake where Cynthia Scroggins-Irving was attacked by NASH, ACTON and a third party. The medical examiner testified that Ms. Scroggins-Irving suffered 24 stab wounds, including several penetrating wounds to her chest cavity, causing her lungs to collapse. Witnesses at trial testified that NASH had blamed Ms. Scroggins-Irving for the death of his friend, Raymond Hayes, who had been murdered sometime earlier in the Phoenix area. There was no indication why NASH believed this or if the victim was involved in the murder in any way.

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The defendants are being held after trial.

WENDELL NASH and TERRY ACTON had been charged with violating Title 18 of the United States Code, Section 1111 (First Degree Murder). The case was tried before United States District Court Judge James A. Teilborg starting on February 3, 2004.

A conviction for First Degree Murder carries a mandatory life sentence and \$250,000 fine. A conviction of Second Degree Murder carries a maximum penalty of life imprisonment, a \$250,000 or both.

The investigation leading to the guilty verdict was conducted by the Bureau of Indian Affairs and Federal Bureau of Investigation.

Sentencing is set before Judge Teilborg on May 10, 2004 at 2:00 p.m..

The prosecution is being handled by Ann Birmingham Scheel, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-059-PHX-JAT
RELEASE NUMBER: 2004-033

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